

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.1999 of 2010**

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1. Ram Narayan Sahani s/o Late Ramashray Sahani, resident of Village-Mohabbatpur, P.S.- Deoria, District-Muzaffarpur
  2. Umesh Prasad Deo, S/o Late Balram Deo, Resident of –I. V. Road, Ward No. 18, Forbesganj, P.S. Forbesganj, District- Araria

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Sri Anjani Kumar Singh, Secretary, Higher Education, Government of Bihar, Patna
3. Sri J.P.Singh, Director, Higher Education, Government of Bihar, Patna
4. Sri Dr. R.P.Srivastava, Vice-Chancellor, B.N.Mandal University, Madhepura
5. Sri Kumar S. Prasad Singh, Registrar, B.N.Mandal University, Madhepura
6. Sri Dr. Satyendra Kumar, Principal, Forbesganj College, Forbesganj, District- Araria
7. Sri Dr. Ram Manohar Roy, Ex-Principal, Forbesganj College, Forbesganj, District- Araria
8. Sri Dipak Kumar, Department of Personnel and Administrative Reforms, Government of Bihar, Patna
9. Sri Brjesh Mehrotra, the Principal Secretary, Secretariat of the Vice-Chancellor, Bihar, Patna
10. Sri Dr. Jai Prakash Narayan Jha, Pro V.C., B.N.Mandal University, Madhepura

.... .... Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Anil Kr. Jha, Sr. Advocate                                      |
| For the University   | : | Mr. Rajiv Verma, Sr. Advocate<br>Mr. Shashi Bhushan Singh, Advocate |
| For the State        | : | Mr. Amaresh Kumar Sinha, AC to GA-1.<br>Mr. Anand Kr. Mishra        |

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**CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA**  
**ORAL ORDER**

68    21-12-2016                      Heard learned counsel for the petitioners and learned counsels for the State and for the B.N. Mandal University.

It is submitted by learned Senior Counsel for the University that the University is examining as to what type of preference may be given to the petitioners in keeping with past



practices or provisions of law, etc.

In my view the direction of the writ Court was clear to grant a preference in the fresh recruitment process, which matter has been delayed by the opposite parties of the University.

It is stated by learned counsel for the University that there are as many 52 posts to be filled up and the consideration of the case of the petitioners may hold up the publication of the entire results of the other candidates also.

It is pointed out that there are only 2 candidates, namely, Ram Narayan Sahni and Naresh Kumar Malik, who may at best get the benefit of any policy or modality for preference that may be adopted by the University.

In the above circumstances the opposite parties of the University are directed to publish the result within a period of one week from today after keeping 2 posts reserved for 2 of the candidates who may succeed in case preference is given under any scheme of preference that may be adopted by the University.

It is made clear that there is already an earlier direction of this Court to publish the result and the same may not be withheld awaiting certified copy of the order. It is the duty of learned counsels for the State and the University to inform the authorities of the University to publish the result.



Let the University take a firm decision with regard to the modality for granting preference within a period of four weeks from today and accordingly communicate the same to the petitioners.

The proceedings of contempt against opposite party No. 10, Pro Vice Chancellor are dropped.

The contempt application is, accordingly, disposed of.

In case the decision of the University goes against the aforesaid two petitioners, it shall be open to them to agitate the matter before the appropriate forum in appropriate proceedings.

**(Ramesh Kumar Datta, J)**

S.Pandey/-

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